

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GIDEON RAPAPORT,

Plaintiff,

v.

RICHARD ALLEN EPSTEIN, et al.,

Defendants.

Case No.: 24-cv-7439-JGLC

DEFENDANT MITCHELL K. PALLAKI'S MOTION TO DISMISS

Pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6), and upon the accompanying Memorandum of Law, Defendant Mitchell K. Pallaki hereby moves for an order dismissing the Amended Complaint with prejudice and granting other further relief as the Court may deem just and proper.

Dated: New York, New York

July 15, 2025

Respectfully submitted,

By: /s/ Seth L. Levine

Seth L. Levine

Steven W. Kessler

LEVINE LEE LLP

400 Madison Avenue
New York, New York 10017
Telephone: (212) 223-4400
slevine@levinelee.com
skessler@levinelee.com

Attorneys for Defendant Mitchell K. Pallaki